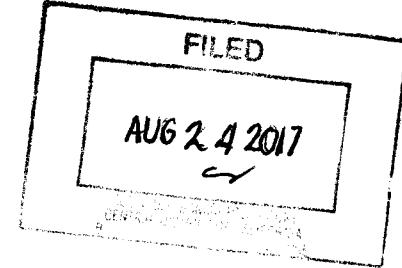


AD 17-01289-BR

## CERTIFICATE OF SERVICE

I, the below-named deputy clerk of the United States Bankruptcy Court, certify that I placed a true and correct copy of the attached document in a sealed envelope for collection and mailing no later than the next business day that is not a court-observed holiday, in the United States mail, first class, postage prepaid, and addressed as follows:

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Service information continued on attached page

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FILED & ENTERED

AUG 24 2017

CLERK U.S. BANKRUPTCY COURT  
Central District of California  
BY fortier DEPUTY CLERK

UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
LOS ANGELES DIVISION

In re:

MARK ELIAS CRONE, Elias Crone

Debtor(s).

CHAPTER 7

Case No.: 2:17-bk-12392-BR  
Adv No: 2:17-ap-01289-BR

**ORDER AFTER HEARING GRANTING  
DEFENDANT GARY GORHAM'S SPECIAL  
MOTION TO STRIKE UNDER CALIFORNIA  
C.C.P. § 425.16 AND MOTION TO DISMISS  
FOR FAILURE TO STATE A CLAIM (FRBP  
7012 AND FRCIVP 12(b)(6)) AND  
DISMISSING ADVERSARY PROCEEDING  
AS TO DEFENDANT GARY GORHAM**

Date: July 25, 2017  
Time: 10:00 AM  
Courtroom: 1668

JEFFREY A. RINDE AND CKR GLOBAL  
ADVISORS, INC.,

Plaintiff(s),

v.

SUSAN CRONE, GARY GORHAM  
AND LEONIDAS P. FLANGAS,

Defendant(s).

1        This matter came on for hearing on the regularly noticed motions of defendant  
2 Gary Gorham on July 25, 2017 at 10:00 a.m. before the Honorable Barry Russell,  
3 United States Bankruptcy Judge. At the hearing, the Court heard argument and  
4 considered Gorham's special motion to strike the adversary proceeding as to him  
5 pursuant to California C.C.P. §425.16 (Docket No. 37), his motion to dismiss for  
6 failure to state a claim against him (Docket No. 39), pursuant to F.R.B.P. Rule 7012  
7 and F.R.Civ.P. 12(b)(6), plaintiffs' oppositions (Docket Nos. 53, 54, 55 and 56) and  
8 Gorham's replies (Docket Nos. 60 and 62). Appearances on the motions were: for  
9 defendant and moving party Gary Gorham: Scott J. Tepper of Garfield & Tepper; for  
10 plaintiffs: J. Bennett Friedman of Friedman Law Group.

11       After considering the motions, oppositions and replies, and the evidence  
12 submitted in support of and opposition to the special motion to strike, and considering  
13 argument of counsel, and being fully apprised in the matter, and as to the special  
14 motion to strike. FOR THE REASONS STATED ON THE RECORD, and good cause  
15 appearing therefor,

16       IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

17       1. The motion to dismiss for failure to state a claim is granted;  
18       2. The special motion to strike is granted;  
19       3. This adversary proceeding is dismissed, with prejudice, as to defendant Gary  
20 Gorham; and

21       4. Defendant Gary Gorham shall file and serve his motion for attorney's fees  
22 for hearing on September 12, 2017 (such date to act as a "control date" pending any  
23 notice of appeal plaintiffs may file).

24       # # #

25       Date: August 24, 2017



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26       Barry Russell  
27       United States Bankruptcy Judge

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